

**In the Drawings**

**Kindly replace Figure 2(a) with the Figure 2(a) replacement sheet enclosed.**

### **Remarks**

The Applicant has amended the Specification to correct minor typographical and grammatical errors. Fig. 2(a) has been amended in a replacement sheet to include the Reference Number 220 that is present in the Specification as it describes Fig. 2(a). A replacement sheet with the Fig. 2(a) marked in red is also enclosed for the Examiner's convenience. Entry into the official file is respectfully requested.

Claim 20 has been amended to recite that the programmable controller that is electrically connected to at least one power coupler. Support may be found in the other independent claims as originally filed.

The Applicant has added new Claim 21 which is similar to Claim 1 except that it specifically recites that the programmable controller is electrically connected to a temperature sensor and electrically connected to the at least one power coupler. Support may be found in the Specification in the last sentence of paragraph [0020], for example. Entry into the official file of examination on the merits is respectfully requested.

Finally, Claim 9 has been amended to change its dependency from Claim 8 to Claim 21 and place it in better form for allowance. Entry into the official file of examination on the merits is also respectfully requested.

The Applicant acknowledges the rejection of Claims 1-5, 11-13, 18 and 20 under 35 U.S.C. §102 as being anticipated by Weber. The Applicant notes with appreciation the Examiner's detailed and helpful comments with respect to the hypothetical application of various portions of the disclosure of Weber to those claims. The Applicant respectfully submits that Weber is inapplicable to those claims for the reasons set forth in detail below.

Claim 1 contains representative language of Claims 1, 18 and 20. The Applicant respectfully submits that Weber fails to disclose that specifically recited structure. The reason is because Weber takes a completely different approach than the Applicant. This is shown in Fig. 6 of Weber wherein a portable thermostat 152 is located at a remote location 150 that is spaced away from window 144 and air conditioner 142. The portable thermostat uses a wireless coupling 154/158 in conjunction with a receiver 156/master control module to adjust the operation of the air conditioner 142. What is important in that disclosure is that the so-called “coupling” is wireless. This is a first major difference of Claims 1-5, 11-13, 18 and 20 over Weber.

However, there is another major difference. Weber fails to disclose the programmable controller specifically recited in independent Claims 1, 11, 18 and 20. Careful scrutiny of the entire Weber disclosure reveals that there is no programmable controller as that term is readily understood by those skilled in the art and as described in the Applicant’s Specification. The Applicant provides one specific example in the Specification beginning, for example, at paragraph [0015] wherein a controller 105 is described. The controller 105 is also clearly shown in the Applicant’s Fig. 1. The programmable controller contains a programmable device 104 as described in paragraph [0017]. The programmable controller 105 and the programmable device 104 described in paragraph [0017] are all in accordance with the understanding of the meaning of the term programmable controller by those skilled in the art.

That description and understanding is sharply contrasted to the disclosure of Weber. Weber fails to explicitly or implicitly disclose a programmable controller, much less a programmable controller electrically coupled to at least one power coupler. While the Official Action helpfully refers to a so-called “programmable controller” in Col. 8 at Lines 47-49, the

Applicant respectfully submits that such structure is not a programmable controller as understood by those skilled in the art and it is in no way electrically connected to at least one power coupler. Col. 8, Lines 47-49 refer to Fig. 2. Fig. 2 shows a device that is plugged into a wall outlet and provides a receptacle for the air conditioner. However, there is nothing programmable with respect to the structures shown in Fig. 2. That structure merely receives wireless signals from the remote unit shown in Fig. 1 and there is no programmability for utilization in conjunction with a user at all. Thus, the structure described in Col. 8 at Lines 47-49 is not programmable and neither is the structure shown in Fig. 2.

The Official Action also helpfully refers to Figs. 4 and 6. The Applicant has already addressed Fig. 6 and there is nothing in Fig. 6 indicating that the master control module 160 is in any way programmable. It is merely a receiver and an ON/OFF switch that are slaved to other controls.

Fig. 4 shows essentially the same structure wherein the so-called "control module" in the top of Fig. 4 is nothing more than the receiver of the wireless signals which translates through the switch driver 64-2 to cut power ON and OFF by way of the power switch 70. However, there is utterly nothing in Fig. 4 that discloses programmability.

In fact, the Applicant has carefully reviewed the entirety of Weber and can find no disclosure, either implicit or explicit, with respect to the claimed programmable controller. As a consequence, there is inherently no disclosure of a programmable controller electrically coupled to at least one power coupler. This utter failure on the part of Weber can readily be seen by reference to all of the figures, even beyond those already discussed. Fig. 1 discloses the remote unit wherein temperature is sensed and compared to a set temperature (which is adjustable). That resulting signal from the comparison is encoded and wirelessly transmitted. There is no

programmability and there is no controller in that disclosure. Fig. 3 does not disclose any kind of controller, much less a programmable controller. Fig. 5 also refers to the remote unit which in that case is capable of temperature sensing and humidity sensing. Resulting signals are sent to an encoder and then wirelessly transmitted. Again, there is no programmability that is disclosed in Fig. 5.

Fig. 7 shows another embodiment of the remote unit which includes the temperature sensor, but includes first and second set temperature adjusters. These are connected to a timer that selects which of the two set temperatures to use as a comparison against ambient temperature. Then the resulting signal is encoded and wirelessly transmitted. Again, this fails to disclose a programmable controller electrically coupled to at least one power coupler as recited in all of Claims 1, 11, 18 and 20. The Applicant therefore respectfully submits that Weber fails to disclose specifically claimed elements of all of independent Claims 1, 11, 18 and 20, thereby rendering Weber inapplicable. Withdrawal of the rejection based on Weber is respectfully requested.

The Applicant acknowledges the rejection of Claims 6, 7, 14, 15 and 19 under 35 U.S.C. §103 over Weber.

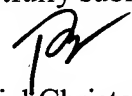
The Applicant respectfully submits that those claims are distinguishable over Weber for essentially the same reasons set forth above with respect to Claims 1-5, 11-13, 18 and 20. In other words, Weber utterly fails to disclose, teach or suggest a programmable controller electrically coupled to at least one power coupler as specifically recited in the independent claims. Withdrawal of the rejection is respectfully requested.

The Applicant acknowledges the rejection of Claims 8, 9, 10, 16 and 17 under 35 U.S.C. §103 under the hypothetical combination of Kath with Weber. The Applicant respectfully

submits that even if one of ordinary skilled in the art were to make the hypothetical combination, the resulting structure would still fail to teach or suggest the subject matter of Claims 8, 9, 10, 16 and 17. This is because Kath, at a minimum, suffers the same flaw as Weber. In particular, the controller that is disclosed in Kath is located in the remote unit and transmits wireless signals. This is sharply contrasted to the programmable controller recited in the independent claims so this electrically coupled to the at least one power coupler. The Kath controller is not electrically connected to at least one power coupler. Instead, it transmits a wire signal and is, therefore, not electrically coupled to the at least one power coupler. As a consequence, the Applicant respectfully submits that the hypothetical combination is inapplicable to Claims 8, 9, 10, 16 and 17. Withdrawal of the rejection is respectfully requested.

In light of the foregoing, the Applicant respectfully submits that the entire application is now in condition for allowance, which is respectfully requested.

Respectfully submitted,



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